

**MASSACHUSETTS SYSTEMS TRANSFORMATION GRANT  
HOUSING SUBCOMMITTEE  
PRIORITY RECOMMENDATIONS EMERGING FROM THE  
HOUSING SUMMIT  
June 2010**

# TABLE OF CONTENTS

<b>Summary of Priority Recommendations and Proposed Solutions</b>	Page 3
<b>Introduction</b>	Page 4
<b>The Housing Summit</b>	Page 5
<b>Overview of Priority Recommendations Selection Process</b>	Page 6
<b>Priority Recommendation One: Accessibility</b>	Page 7
Background	Page 7
Problem Statement	Page 8
Current Activities	Page 8
List of Active Stakeholders	Page 9
Potential Solutions and Action Steps	Page 9
Opportunities to Educate	Page 10
<b>Priority Recommendation Two: Development/Preservation: Supporting Successful Tenancies, Increasing Rental Affordability, Increasing Access to Capital for Developers</b>	Page 12
Background	Page 12
Problem Statement	Page 12
List of Active Stakeholders	Page 13
Potential Solutions and Action Steps	Page 13
Opportunities to Educate	Page 17

HOUSING SUBCOMMITTEE  
PRIORITY RECOMMENDATIONS EMERGING FROM THE HOUSING SUMMIT

---

The Housing Subcommittee of the Massachusetts Systems Transformation Grant (STG) is presenting this report to the Executive Office of Health and Human Services and the Executive Office of Elders Affairs and other interested parties. It contains two primary recommendations related to the development of affordable, accessible housing in the Commonwealth of Massachusetts. These two recommendations were developed based upon input received from participants in the STG housing summit as well as stakeholders who assisted in the planning of the housing summit which took place in October of 2009.

## **EXECUTIVE SUMMARY OF RECOMMENDATIONS AND POTENTIAL SOLUTIONS**

### **Priority Recommendation I: Implement Solutions Re: Accessibility**

**RECOMMENDATION:** The Commonwealth of Massachusetts, specifically the Executive Office of Public Safety and Security, would move to ensure that there is substantial equivalency between the required Massachusetts code and federal codes for building or renovating accessible housing while retaining those sections of Massachusetts code that ensures greater accessibility for persons with disabilities. Those features of the Massachusetts code, which are unique and that exceed federal standards, should also be included. To Accomplish this it is recommended that the Commonwealth Should Act on Three Potential Solutions:

1. **POTENTIAL SOLUTION:** The Commonwealth should adopt consistent, compatible building codes including those codes specifically related to accessibility for persons with disabilities.
2. **POTENTIAL SOLUTION:** Eliminate the confusion regarding which codes apply and under which circumstances by helping affected parties better understand the complex access code enforcement process including all parties involved in the process.
3. **POTENTIAL SOLUTION:** EOHHS should educate relevant parties, such as housing providers and developers, regarding accessible design with a special focus on building codes and enforcement.

### **Priority Recommendation II: Development/Preservation**

**RECOMMENDATION:** The Commonwealth of Massachusetts and all active stakeholders should foster the creation of more integrated community-based housing options by addressing three critical components of the development/preservation process: 1) supporting successful tenancies in rental units, 2) increasing rental affordability and 3) increasing access to capital for developers to encourage the creation of more accessible housing for persons with disabilities and elders. To effectively address these three components the Commonwealth Should Act on Six Potential Solutions:

#### **To Support Successful Tenancies of Elders and Persons with Disabilities in Rental Units**

1. **POTENTIAL SOLUTION:** Increase the number of resident service coordinators in public housing and

privately-owned/publicly subsidized housing and the number of housing support teams serving residents in those same types of housing developments.

#### **To Create More Affordable Housing**

- 2. POTENTIAL SOLUTION:** Foster the creation of more accessible, affordable housing opportunities for households with incomes at 15% or less of average median income.

#### **To Increase Access to Capital for Developers to Promote Creation of Accessible Housing**

- 3. POTENTIAL SOLUTION:** EOHHS should urge the Department of Housing and Community Development (DHCD), principal funder of affordable housing development in the Commonwealth, to publish on their website an annual funding schedule that includes the dates for submitting applications and notification of awards for funding.
- 4. POTENTIAL SOLUTION:** EOHHS should actively encourage funders of affordable housing development, to provide opportunities for developers to assemble a development package that includes funding for capital; funding for accessible, affordable units for the extremely low income and funding for voluntary supportive services.
- 5. POTENTIAL SOLUTION:** EOHHS should encourage MassHousing, in collaboration with relevant state agencies, to review current procedures for accessing development funds and to identify measures to streamline the application process.
- 6. POTENTIAL SOLUTION:** EOHHS should identify and collaborate with partners to develop and disseminate information about accessible housing, resources to support successful tenancies and resources that exist for developers to support their creation of more affordable and accessible housing units.

## **INTRODUCTION**

The following recommendations are the product of the work of the Housing Subcommittee of the Commonwealth's Systems Transformation Grant, which was formed following the grant award to the Commonwealth in 2005 by the Centers for Medicare and Medicaid Services. Grant funds supported critical strategic planning and implementation activities related to transforming and strengthening the system of long-term supports for people with disabilities and elders in Massachusetts. Grant principles included executive staff from the University of Massachusetts Medical School, and the Executive Office of Health and Human Services Office of Disability Policy and Programs, Office of Medicaid, and the Executive Office of Elder Affairs.

The Systems Transformation Grant (STG) activities focus on three interrelated topic areas critical to the effective transformation of Massachusetts' community based system of long term care: Diversion/Financing, Housing and Quality. Over the past five years, each of these three topic areas was addressed through Subcommittees composed of consumers, advocates, trade associations, community-based providers, state agency representatives and facility-based providers and charged with creating and implementing activities to be undertaken in a strategic plan for improving the long term supports system.

The objectives of the Housing Subcommittee, which created this report, were: (1) improve the *coordination of*

long-term supports with affordable, accessible housing, and; (2) increase the *availability* of accessible, affordable housing with long-term supports.

Among the Housing Subcommittee's accomplishments in its effort to address these core issues were the planning and successful implementation of a housing summit entitled: "Innovation, Collaboration, Action! Creating Accessible, Affordable Housing for Individuals with Disabilities and Elders." The following describes the impetus for the summit and the recommendations that emerged.

## **THE HOUSING SUMMIT**

Dialogue among STG Housing Subcommittee members that long-preceded the summit often identified the need to open up the sometimes narrow universe in which each of us works and hold cross-agency/cross discipline training to enhance understanding of housing issues across the organizations playing varying roles relative to housing for persons with disabilities and elders within the long term support system.

Subcommittee members believed that this type of interaction would allow entities, which serve the same constituencies, to better do so by collaboratively identifying barriers to providing affordable and accessible housing and housing with supports for individuals with long term supports needs, as well as developing solutions to address those barriers. The group also stressed that consumers for whom long term support system improvements were planned should always be engaged in the discussions.

The Subcommittee took these ideas and put them into practice. It implemented a housing summit that fostered the envisioned collaborative environment and yielded products that would include a compilation and synthesis of the conversations and key recommendations that could be shared with a larger community of stakeholders.

The diverse group of stakeholders who attended the summit was assigned two tasks: (1) generate ideas as to how existing innovative programs may be supported and replicated, and; (2) identify solutions to address existing barriers impeding the creation of accessible, affordable housing for persons with disabilities and elders. Summit participants were explicitly asked a series of questions during roundtable discussions that, overall, attempted to solicit information about barriers to and relevant solutions enabling the creation of accessible, affordable housing.

As hoped, people with diverse interests and areas of expertise attended, freely expressed their concerns and made recommendations for addressing those concerns. This document, provided to EOHHS, EOE, summit attendees and the larger stakeholder community, describes a synthesis of the products and recommendations of the summit.

## **OVERVIEW OF PRIORITY RECOMMENDATION SELECTION PROCESS**

There was an impressive assembly of stakeholders present at the summit and participating in the planning of

the summit. As a result, the executive leadership within the Executive Office of Health and Human Services (EOHHS) charged the STG Housing Subcommittee and its staff with identifying key recommendations emerging from the summit, and potential solutions and action steps to address the most pressing issues. In addition, a list of active stakeholders was developed from the summit participants.

These recommendations to EOHHS are designed as a guide for the implementation of the proposed activities and as a catalyst for change. The summit participants provided a wealth of information on which to base the recommendations and suggested solutions that were far-reaching and encompassed a wide variety of issues. Given the vast number of barriers and solutions brought to light during the summit, and the fact that the Subcommittee was to conclude its work in June of 2010, the Subcommittee members identified the two areas of interest mentioned most repeatedly for inclusion in this report. By focusing EOHHS's attention on only two critical areas along with potential solutions and action steps the Subcommittee could more effectively (a) raise the visibility of the issues; (b) encourage the creation of educational opportunities; (c) and generate constructive dialogue about possible solutions.

### **Two Primary Areas of Interest Emerged from the Summit – Accessibility and Development/Preservation**

Based upon the input received from this large group of diverse stakeholders prior to and during the summit, the two primary areas of interest that emerged were: 1) *Accessibility* and 2) *Development/Preservation*. Within each of these two overarching areas of interest there was a single issue or set of interrelated issues that were repeatedly identified as being of critical importance and which were ultimately identified as the two priority recommendations emerging from the housing summit. They are:

ACCESSIBILITY	DEVELOPMENT/PRESERVATION
The need for the Commonwealth to move 1) to ensure that there is substantial equivalency between the required Massachusetts code and the federal codes for building and renovating accessible housing, and; 2) ensure that Massachusetts codes that are unique to the State and that may exceed federal standards are retained.	The need for the Commonwealth to promote the creation of more integrated community-based housing (as described herein) by addressing <i>three critical components</i> of the housing development/preservation process: 1) supporting successful tenancies in rental units, 2) increasing rental affordability, and 3) increasing access to capital for developers to encourage the creation of more affordable and accessible housing for persons with disabilities and elders.

The following narrative provides more detail on each of the two identified priority recommendations, the first related to accessibility and the second related to development/preservation.

## **PRIORITY ONE: ACCESSIBILITY**

**PRIORITY RECOMMENDATION:** The Commonwealth of Massachusetts, specifically the Executive Office of Public Safety and Security (EOPSS), would move to ensure that there is substantial equivalency between the required Massachusetts code and federal codes for building or renovating accessible housing while retaining those sections of Massachusetts code that ensures greater accessibility for persons with disabilities. Those features of the Massachusetts code, which are unique to the State and that exceed federal standards, should also be included.

Due to the complexity of this issue an effort has been made to provide some background information that describes why this issue is important and current activities underway attempting to address this issue.

**BACKGROUND:** The responsibilities of the Department of Public Safety (DPS) within the Executive Office of Public Safety and Security include the protection of lives and property within the Commonwealth. Several of the Divisions and Boards within DPS focus on building codes including their promulgation and enforcement. These entities include the Architectural Access Board, the Board of Building Regulations and Standards and the Division of Inspection among others. The State Building Code issued by the Commonwealth of Massachusetts, controls the construction as well as the, rehabilitation or modification of all buildings in Massachusetts. There are certain "specialized" codes that are part of the Building Code. One of those codes relates to accessibility of buildings. That code is developed and enforced by the Massachusetts Architectural Access Board (MAAB.)

Currently, in Massachusetts, when housing with four (4) or more units is being designed and constructed, there are four sets of legally-mandated accessibility standards that architects, contractors, building inspectors and others may need to consult ***depending upon the type(s) of funding that the development receives***. These standards are intended to ensure that a person with a disability has an opportunity equal to that of a person without a disability to utilize and enjoy the premises. The four sets of standards are:

1. Massachusetts Architectural Access Board Regulations (MAABR/521 CMR)
2. Fair Housing Act Design Manual (FHA DM-1998) or ten HUD-approved safe harbors (see FairHousingFirst website)
3. Uniform Federal Accessibility Standards (UFAS-1988)
4. Standards for Accessible Design (ADAAG-1994) as required by the American with Disabilities Act (ADA)

**PROBLEM STATEMENT:** Errors in the design and construction of buildings resulting in the creation of accessibility barriers have been blamed, in part, on the confusion that architects, builders and others likely experience when they try to identify the correct specifications in the four separate applicable texts that in

some instances contain conflicting standards. These errors not only result in impediments to physical accessibility, but they can also add a great deal to the cost of development. Many other states have adopted the International Building Code (IBC)<sup>1</sup> which contains access codes that satisfy the requirements set forth in the other federal standards noted above: FHADM, UFAS, and ADAAG. However, Massachusetts created its own set of access standards which are enforced by local and state building inspectors as well as by the Massachusetts Architectural Access Board (MAAB). Some of the specifications contained within the MAAB's standards exceed federal standards and/or are in some way unique to Massachusetts.

**CURRENT ACTIVITIES.** Many parties recognize that any confusion with regard to the appropriate and accurate application of relevant standards has a negative effect on: (1) the ability of architects, contractors, developers, and other relevant parties to properly design and construct accessible buildings; (2) the ability of community advocates and enforcement agencies to effectively and efficiently address non-compliance issues; (3) the ability to control costs related to rectifying errors during construction and myriad plan reviews, and ultimately; (4) the ability of individuals with disabilities to find and secure accessible, affordable housing. As a result, a number of activities are underway simultaneously to try to address the situation.

The Massachusetts Architectural Access Board, within the EOPSS, is currently engaged in a review of its own standards along with a comparative analysis of various federal regulations. In addition to this content review MAAB is also in the process of reformatting its regulations in order to make them more user-friendly.

The Citizen's Housing and Planning Association (CHAPA) is a private not-for-profit organization for affordable housing and community development activities throughout Massachusetts. In 2008, CHAPA formed a committee to examine and make recommendations about conflicting building codes. With a recommendation from its committee and financial assistance from MassHousing, a quasi-public state agency, CHAPA commissioned a report detailing a comparative analysis of the state and federal access codes. The report preliminarily recommends that, in combination with other efforts, the Commonwealth of Massachusetts adopt the International Building Code (IBC) with language ensuring "all of the accessibility technical specifications in MAAB that exceed IBC would be maintained by adding it to the IBC framework."<sup>2</sup> CHAPA's work on this issue is ongoing and this recommendation is just part of a much larger investigative effort into how to best assure that Massachusetts' accessibility building codes are in compliance with existing civil rights and accessibility laws at the state and federal level.

In addition to the above activities, the Department of Public Safety, under the Executive Office of Public Safety and Security (EOPSS), is in the process of adopting the IBC as the state building code with "front end amendments to address Massachusetts laws, regulations and unique requirements."<sup>3</sup> Public hearings are

---

1 A read only version of the IBC can be found at: [2009 ICC Codes Read Only](#)

2 Evaluation and Comparison of State and Federal Accessibility Codes, Citizens' Housing and Planning Association, November, 2009.

3 [http://www.mass.gov/?pageID=eopsterminal&L=4&L0=Home&L1=Consumer+Protection+%26+Business+Licensing&L2=License+Type+by+Business+Area&L3=Construction+Supervisor+License&sid=Eeops&b=terminalcontent&f=dps\\_bbrs\\_code\\_change\\_meeting\\_feb10\\_8edition&csid=Eeops](http://www.mass.gov/?pageID=eopsterminal&L=4&L0=Home&L1=Consumer+Protection+%26+Business+Licensing&L2=License+Type+by+Business+Area&L3=Construction+Supervisor+License&sid=Eeops&b=terminalcontent&f=dps_bbrs_code_change_meeting_feb10_8edition&csid=Eeops)The proposed 8th edition of the state building code base volume will be comprised of the 2009



being held on the matter. This process is challenging given the potential for significant feedback from a variety of external entities in addition to the internal vetting process that includes the State Board of Electrical Examiners, Board of Building Regulations and Standards, State Board of Plumbers and Gasfitters, Board of Elevator Regulations among others. **However, the adoption of the IBC as the Commonwealth of Massachusetts State Building Code Eighth Edition, as it is currently proposed by DPS, would exclude those references regarding accessibility specifications. In other words, the revised codes would continue to refer to MAAB specifications to address accessibility issues.**

## **PRIORITY RECOMMENDATION I: ACCESSIBILITY**

### **ACTIVE STAKEHOLDERS-POTENTIAL SOLUTIONS-ACTION STEPS**

The following narrative identifies currently active stakeholders as well as potential solutions and action steps which may be taken by EOHHS to further Priority Recommendation I.

**ACTIVE STAKEHOLDERS** (in alphabetical order, not necessarily exhaustive): Boston Center for Independent Living Boston Society of Architects Citizens' Housing and Planning Association Disability Law Center Executive Office of Administration and Finance Executive Office of Health and Human Services and relevant agencies Executive Office of Elder Affairs Executive Office of Public Safety and Security Institute for Human-Centered Design Massachusetts Architectural Access Board Massachusetts Attorney General's Office Massachusetts Department of Housing and Community Development Massachusetts Department of Public Safety MassHousing Massachusetts Housing Partnership Massachusetts Statewide Independent Living Council Metropolitan Boston Housing Partnership and others.

- 1. POTENTIAL SOLUTION:** The Commonwealth should adopt consistent, compatible building codes including those codes specifically related to accessibility for persons with disabilities.

**ACTION STEP A:** It is important for EOHHS to maintain active involvement in this issue because many of the populations served by EOHHS agencies rely upon the proper application and enforcement of access codes so that they may locate safe, accessible, affordable housing. Therefore, EOHHS should either maintain or establish direct contact with the entities that are presently taking leadership roles on this issue. They include the Executive Office of Administration and Finance, the Executive Office of Public Safety and Security and their Department of Public Safety and the Massachusetts Architectural Access Board and the Citizens' Housing and Planning Association (CHAPA.) This direct contact should include a request to these entities that EOHHS be invited to participate in discussions related to building codes if an invitation has not already been extended. EOHHS should pursue monthly updates from these entities as to the status of the matter and necessary next steps and a time line for those steps.

---

International Building Code (IBC) and front end amendments to address MA laws, regulations and unique requirements. The files below show all the proposed changes to the IBC and are either: IBC chapters with amendments embedded for ease of review; front end amendment language only to IBC chapters; or chapters, regulations or appendices that completely replace or add to IBC sections. Again, once approved, the 8th edition will be the virgin IBC document (published by the International Code Council) with a separate front end amendment document published by MA.

**ACTION STEP B:** Regarding the issue of accessibility as it relates to building codes, EOHHS should play an active role in facilitating communication and dissemination of information between the agencies within EOHHS, advocates, consumers and external leaders such as the Executive Office of Public Safety and Security. Enhanced communication will ensure that all groups are adequately informed about any pending changes and their potential ramifications for people with disabilities and elders.

2. **POTENTIAL SOLUTION:** Eliminate the confusion regarding which codes apply and under which circumstances by helping affected parties better understand the complex access code enforcement process including all parties involved in the process.

**ACTION STEP A:** : EOHHS should use the resource developed by the Housing Subcommittee of the STG that identifies: (1) the entities responsible for enforcing existing building codes related to accessibility in Massachusetts and (2) the existing process by which these building codes are enforced.

**ACTION STEP B:** EOHHS should ask the EOPSS to require that the Building Code Coordinating Council (BCCC)<sup>4</sup>, should on a semi-annual basis hold meetings which would focus solely on building codes related to accessibility. Attendance at these meeting(s) should be mandatory for existing members. Other invited members should include EOHHS agencies that serve populations who are significantly affected by appropriate implementation of access standards. The purpose of the meeting(s) would be to share information regarding recent changes in statute and allow EOHHS agencies to express concerns or pose questions regarding current issues affecting the populations they serve as well as inform the group about current innovations in serving individuals with accessibility needs. These meetings would also identify issues that need to be addressed by education and training.

## **PRIORITY I: ACCESSIBILITY**

### **EOHHS/STG OPPORTUNITIES TO EDUCATE**

Given the complexity of the building codes, the array of building codes, the variety of potential design concepts and the number of consumers affected by the need for accessibility, there are many opportunities to provide education to stakeholders including architects, builders, building inspectors, local access monitors, property owners and other affected parties. The potential solutions and action steps listed below offer a few examples of activities that will help to decrease confusion and encourage collaboration.

3. **POTENTIAL SOLUTION:** EOHHS should educate relevant parties, such as developers and housing providers, regarding accessible design with a special focus on building codes and enforcement.

**ACTION STEP A:** EOHHS will electronically disseminate a fact sheet provided by CHAPA summarizing its report entitled "Evaluation and Comparison of State and Federal Accessibility Codes" to all individuals who attended the housing summit and other STG contacts.

**ACTION STEP B:** EOHHS will disseminate the concise description of universal design, "visitability" and

---

4 The Building Code Coordinating Council is described in Executive Order 518. It is co-chaired by the Executive Office of Administration and Finance and the Executive Office of Public Safety and Security

legally mandated accessibility standards developed by the STG Housing Subcommittee.

**ACTION STEP C:** Housing summit participants will be encouraged via email to post trainings on housing, particularly those related to accessibility issues, on the CHAPA website on a regular basis.

**ACTION STEP D:** The Secretary of the Executive Office of Health and Human Services is encouraged to invite the Secretary of the Executive Office of Housing and Economic Development to collaborate on leading and planning a one day conference on universal design for the purpose of:

- (a) providing information on how to differentiate between legally mandated accessibility specifications and the concept of universal design;
- (b) providing specific examples of universal design concepts and how they have been implemented;
- and (c) identifying the costs associated with implementing universal design concepts to dispel the myths about excessive costs.

**ACTION STEP E:** EOHHS should offer its expertise in serving people with disabilities to the Executive Office of Public Safety and Security (EOPSS) in order to provide and enhance building codes and enforcement trainings. The purpose of this recommendation is to improve overall sensitivity to the needs of certain populations served by EOHHS agencies, as well as awareness of the legal requirements related to designing for accessibility. Some EOHHS agencies may already provide their input. Given the different needs of the various populations served by EOHHS, EOHHS may need to request that representatives from Department of Developmental Services (DDS), Department of Mental Health (DMH), Massachusetts Rehabilitation Commission (MRC) and other relevant agencies meet with EOPSS staff and coordinate training through the EOPSS Building Code Coordinating Council.

**ACTION STEP F:** The EOHHS Cross Agency Housing Workgroup should establish a working relationship with the Boston Society of Architects and the Massachusetts Homebuilders Association, Institute for Human-Centered design, DHCD, MassHousing and perhaps others in order to facilitate communication by EOHHS regarding the housing design needs of the populations they serve, and encourage exploration of design methods and building techniques that address the needs of the populations served by EOHHS.

## **PRIORITY TWO: DEVELOPMENT/PRESERVATION**

### **Supporting Successful Tenancies, Increasing Rental affordability and, Increasing Access to Capital**

**PRIORITY RECOMMENDATION:** The Commonwealth of Massachusetts and all active stakeholders should foster the creation of more integrated community-based housing options by addressing three critical components of the development/preservation process: 1) supporting successful tenancies , 2) increasing rental affordability and 3) increasing access to capital for developers to encourage creation of more

## **accessible housing for persons with disabilities and elders.**

**BACKGROUND.** The STG Housing Subcommittee members generally believe that there is an insufficient supply of housing that is accessible to people with disabilities and affordable to low income and extremely low income households. As a result Subcommittee members have focused on the need to identify mechanisms by which new accessible, affordable housing might be developed or existing housing might be made affordable and accessible.

When stakeholders discuss the creation of affordable, accessible housing, either constructing new or utilizing existing housing, the ideal is to have this housing integrated into the community at-large. What is meant by the term "integrated, community-based housing"? The following four factors address key components of integrated, community-based housing that should be taken into consideration by those developing, designing and funding it in order to create housing that *meets the needs* of the diverse population it is intended to serve:

Siting: Developers and funders should consider housing site proximity to transportation and services because residents may lack their own transportation. Residents may need to live near shopping, medical facilities, or need a means of accessible public transportation in order to reach these destinations and others. Individuals providing services, such as personal care attendants (PCA's), may also require public transportation in order to reach the site.

Tenant Profile: Units will be available to persons regardless of age or type of disability.

Housing type: Given the wide variety of needs and preferences of persons with disabilities and elders it is extremely important that different types of housing (i.e. independent, supported housing, congregate housing, assisted living, rental, home ownership) be made available.

Services: There must be housing options available that do not require a person to accept services in order to maintain their tenancy or meet eligibility requirements for housing. Although many residents of housing that provide services directly have found this system to be helpful, a resident's right to refuse services if they choose to do so must be respected.

**PROBLEM STATEMENT:** The creation of community-integrated housing opportunities is challenging for a variety of reasons. However, three of the most significant barriers to creating housing that meets the needs of persons with disabilities and elders are: (1) lack of service coordination and/or availability of services that will help residents maintain or successfully establish a tenancy; (2) lack of housing that is affordable to extremely low income households, and; (3) lack of funds available to developers to construct the housing. The following list of potential solutions and action steps focus on addressing these three barriers.

### **PRIORITY RECOMMENDATION II: DEVELOPMENT/PRESERVATION LIST OF ACTIVE STAKEHOLDERS-POTENTIAL SOLUTIONS-ACTION STEPS**

The following narrative identifies the stakeholders as well as potential solutions and action steps that may help to further Priority Recommendation II.

**LIST OF ACTIVE STAKEHOLDERS** (in alphabetical order, not necessarily exhaustive): Area Agencies on Aging Citizens' Housing and Planning Association Disability Law Center Executive Office of Administration and Finance Executive Office of Health and Human Services and relevant agencies Executive Office of Elder Affairs Massachusetts Department of Housing and Community Development MassHousing Massachusetts Housing Partnership Massachusetts Non-Profit Housing Association Massachusetts Association of Community Development Corporations, State-wide Independent Living Centers and others.

## **SUPPORTING SUCCESSFUL TENANCIES**

Given the lack of decent, safe, accessible, affordable housing, it is imperative to provide support to maintain successful tenancies. Some residents seek out support when they are confronted with short- or long-term challenges that make independent living difficult. Without support from family, friends or service agencies, continued independent living may be impossible for some people. Other residents who are in need of assistance may not seek out support or may have inadequate support. As a consequence, the challenges of living independently may result in lease violations. If a tenancy is terminated, the poor rental history that has been established only exacerbates the difficulties associated with searching for and securing decent, safe, accessible, affordable housing.

**1. POTENTIAL SOLUTION:** Find mechanisms to increase the number of resident service coordinators (RSC)<sup>5</sup> in public housing and privately-owned/publicly subsidized housing and the number of housing support teams<sup>6</sup> serving residents in those same types of housing developments.

**ACTION STEP A:** The EOHHS Cross Agency Housing Workgroup should collaborate with DHCD to seek additional information to identify existing funding opportunities that would support the creation of RSC positions and explore the possibility of collaborating with partners, both public and private, to creatively finance additional RSC positions. Initial contact may be made with the Massachusetts Association of Resident Service Coordinators in Housing (MARSCH [www.marschlink.net](http://www.marschlink.net)), Mass Housing, DHCD and HUD.

**ACTION STEP B:** The EOHHS Cross Agency Housing Work Group should explore ways to strengthen efforts of housing support teams and increase the number of these teams. This should be done in collaboration with

---

<sup>5</sup> For the purpose of this document, resident service coordinators (RSC) are defined as persons who are hired by a property management company. These individuals act as a liaison between the property manager and/or owner and the residents. If a resident is in need of services, an RSC will assist them in locating such services if such services exist in the area. The RSC will also initiate contact with residents as instructed by the property manager and/or owner if lease violations have occurred and their tenancy is in jeopardy. Residents should also be clearly notified that the RSC is an employee of the property manager and/or owner. Residents have the right to decline assistance from the RSC.

<sup>6</sup> For the purpose of this document housing support teams are defined as a team made up of individuals with expertise in different areas that may be used to support resident tenancies and effectively address issues that arise that may negatively impact a tenancy. The range of assistance provided may include but not be limited to utility set-up, locating services, maximizing income, budgeting. These teams are usually based within social service agencies and may receive funding from a variety of services. the team employs a client-centered approach.

service provider agencies, agencies that have created housing support teams and those entities that utilize the services of these teams.

**ACTION STEP C:** The EOHHS Cross Agency Housing Workgroup will inform its community including STG housing summit attendees of the existence of funding resources for RSC positions and/or housing support teams. The information will also be made available via the EOHHS website.

## INCREASING RENTAL AFFORDABILITY

The need for affordable housing for people with disabilities of all ages in Massachusetts is extremely great. In 2009, the average, monthly combined state and federal Supplemental Security Income (SSI) benefit was \$516.50 for adults through age 64 and \$404 for those age 65 and older<sup>7</sup>. In that same year the number of adults in Massachusetts with disabilities under the age of 65 receiving SSI benefits was 114,789. There were 49,713 individuals age 65 and older who were receiving SSI in 2009.<sup>8</sup>

In 2009, the following fair market rents were identified in different geographic areas of the state<sup>9</sup> ([www.huduser.org/portal/datasets/fmr.html](http://www.huduser.org/portal/datasets/fmr.html))

<p>In Boston was:</p> <ul style="list-style-type: none"> <li>■ \$1,080 for a studio</li> <li>■ \$1,146 for one bedroom</li> <li>■ \$1,345 for a two bedroom</li> </ul> <p>\$1,345for a two bedroom</p>	<p>In Worcester was:</p> <ul style="list-style-type: none"> <li>■ \$658 for a studio</li> <li>■ \$757 for a one bedroom</li> <li>■ \$922 for a two bedroom</li> </ul>	<p>In Springfield was:</p> <ul style="list-style-type: none"> <li>■ \$579 for a studio</li> <li>■ \$688 for a one bedroom</li> <li>■ \$874 for a two bedroom</li> </ul>
--	---	---

## 2. POTENTIAL SOLUTION: Foster the creation of more accessible, affordable housing opportunities for households with incomes at 15% or less of average median income.

<sup>7</sup> [http://www.socialsecurity.gov/policy/docs/statcomps/ssi\\_monthly/2009-12/table07.html](http://www.socialsecurity.gov/policy/docs/statcomps/ssi_monthly/2009-12/table07.html) Website for the United States Social Security Administration, Office of Retirement and Disability policy

<sup>8</sup> [http://www.ssa.gov/policy/docs/statcomps/ssi\\_sc/2009/ma.html](http://www.ssa.gov/policy/docs/statcomps/ssi_sc/2009/ma.html) Website for the United States Social Security Administration, Office of Retirement and Disability policy

<sup>9</sup> Fair market Rent (FMR)- FMRs are gross rent estimates. They include the shelter rent plus the cost of all tenant-paid utilities, except telephones, cable or satellite television service, and internet service. HUD sets FMRs to assure that a sufficient supply of rental housing is available to program participants. To accomplish this objective, FMRs must be both high enough to permit a selection of units and neighborhoods and low enough to serve as many low-income families as possible. The level at which FMRs are set is expressed as a percentile point within the rent distribution of standard-quality rental housing units" rent:

**ACTION STEP A:** EOHHS should request that a special task force be convened to identify ways to address the housing needs of the extremely low income household in which a member of the household has a disability. EOHHS should ask the following agencies to participate in this task force: Executive Office of Housing and Economic Development, MassHousing, Massachusetts Housing Investment Corporation (MHIC), Massachusetts Housing Partnership (MHP), Inter-Agency Council on Housing and Homelessness (ICHH), and others if appropriate such as private developers of publicly subsidized/privately owned developments.

- One of the responsibilities of this special task force should be to recommend what percentage of units, greater than currently mandated, should be set-aside for persons requiring an accessible unit and with an income at or less than 15% of the area median income. The task force should consider making such a recommendation apply to newly developed housing that receives public funds intended to increase the stock of affordable housing units in Massachusetts.
- Another of the responsibilities of this task force should be to identify one or more funding mechanisms that make it financially feasible to create, per housing site, more accessible units that are affordable to households with an income at or less than 15% of the area median income.
- When the task force makes a recommendation, the recommendation should be accompanied by a description of the process by which implementation is monitored, in addition to a time line for implementation.

## **INCREASING ACCESS TO CAPITAL FOR DEVELOPERS**

Accessing funding for the development of affordable, accessible housing that covers both construction costs and soft costs<sup>10</sup> usually requires that a developer apply to a variety of funding sources. These funding sources have different selection criteria, different time lines for awarding funds and different requirements for how the funding may be used including eligibility criteria for applicants. All of these factors combine to create a very complex, time-consuming and expensive process for accessing capital to develop housing.

**3. POTENTIAL SOLUTION:** EOHHS should urge DHCD to publish on their website an annual funding schedule that includes the dates for submitting applications and notification of awards for funding. Relevant funders publish, in advance, application deadlines and funding award dates so that developers of housing understand when they may expect to be notified whether or not they have received funding.

**ACTION STEP A:** EOHHS should urge Executive Office of Housing and Economic Development to send a letter to relevant funders such as MassHousing, DHCD, CEDAC and others requesting that they institute a process of publishing, in advance, when feasible, application deadlines and funding award dates so that developers of housing understand when they may expect to be notified as to whether or not they have received funding.

---

<sup>10</sup> Soft money (costs) are "expenditures made during construction of a building that do not go directly into the building. Examples are permit fees, interest on borrowed funds, attorney fees, and real estate taxes." Jae Shim, Joel Siegel, Stephen Hartman, *Dictionary of Real Estate Terms*(New York: John Wiley and Sons, Inc., 1996), 259.

**4. POTENTIAL SOLUTION:** EOHHS should actively encourage funders of affordable housing development, whether public or private, to provide opportunities for developers to assemble a development package that includes funding for capital; funding for accessible, affordable units for the extremely low income and funding for voluntary supportive services such as resident service coordinators, housing support teams or other such models.

**ACTION STEP A:** Involved Secretariat and state leadership, led by the Secretary of EOHHS, and including the Secretary of EOHED and leadership from the Quasi-Public Corporation Planning Council, should come together to discuss creating and implementing development package(s) that includes funding to construct accessible, affordable units for the extremely low income (15% of area median income) households and for voluntary supportive services.

**5. POTENTIAL SOLUTION:** EOHHS should encourage MassHousing, in collaboration with relevant state agencies, to convene a meeting or series of meetings inviting funders, both public and private, of accessible, affordable housing and others. The purpose of the meeting(s) would be to review current procedures for accessing development funds and to identify measures to streamline the application process for funding that would result in a cost savings.

**ACTION STEP A:** MassHousing, in cooperation with the Secretariat and state leadership, including the Secretary of EOHHS, the Secretary of Executive Office of Housing and Economic Development (EOHED) and leadership from the Quasi-Public Corporation Planning Council, should meet to review current procedures for accessing development funds and to identify measures to streamline the process that will result in cost savings. Potential reduction of soft costs may allow the reallocation of funds to other components of the development process such as supporting deeper affordability. This task force would include not only those financing housing, but also entities that serve individuals that need accessible, affordable housing and consumers.

## **PRIORITY II: DEVELOPMENT/PRESERVATION OPPORTUNITIES TO EDUCATE**

**6. POTENTIAL SOLUTION:** EOHHS should identify potential partners and collaborate with those partners to conduct training and education that will generate and communicate concrete steps that may be taken by a broad array of entities to support successful tenancies, increase the depth of affordability of housing units and ensure that existing capital resources available are utilized to the fullest extent possible.

### **Supporting Successful Tenancies**



**ACTION STEP A:** EOHHS should encourage organizations such as the Massachusetts Independent Living Centers and Aging Services Access Points, in collaboration with appropriate agencies such as MARSCH, MassHousing and DHCD, to include in their existing training process or in newly developed training sessions the benefits of creating housing support teams and/or hiring a resident service coordinator(s), the sources of funding and a description of other means to generate funds to support such efforts.

### **Increasing Rental Affordability**

**ACTION STEP B:** EOHHS should encourage organizations such as the Massachusetts Independent Living Centers and Aging Services Access Points, Regional Pilot Network Agencies to end Homelessness, Independent Living Centers for Deaf and Hard of Hearing People, Mental Health Recovery Learning Centers in collaboration with appropriate agencies, MassHousing and DHCD, to incorporate into their public relations and/or outreach a focus (if this is not already a focus) on increasing public awareness around the need for accessible, affordable housing; stressing the reality of trying to find decent, safe housing with the income provided by Supplemental Security Income.

### **Increasing Access to Capital for Developers**

**ACTION STEP C:** EOHHS will inform the housing community of CHAPA's efforts and those of other advocacy organizations, such as the Community Preservation Coalition, to encourage municipalities to promote local passage of the Community Preservation Act or the creation of affordable housing trust funds.

**ACTION STEP D:** The EOHHS Cross-agency Housing Work Group should encourage DHCD, MassHousing, CEDAC, MHIC, the Massachusetts Association of Community Development Corporations, the Regional Housing Network of Massachusetts, and others to collaborate to conduct training(s), as appropriate, for organizations that are interested in developing accessible, affordable housing but have not done so or have developed a minimal amount of accessible, affordable housing. The training would identify the funding sources available and the actual development budgets and operating budgets for various types of accessible, affordable housing and also review the resources available for persons with disabilities and elders.